

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re:

491 BERGEN ST. CORPORATION, et al.,

Debtors.

ESTATE OF FRANK SOFIA.

Appellant,

-against-

25-cv-04387 (LAK)

[No. 25-B-10091 (DSJ)]  
[(Jointly Administered)]

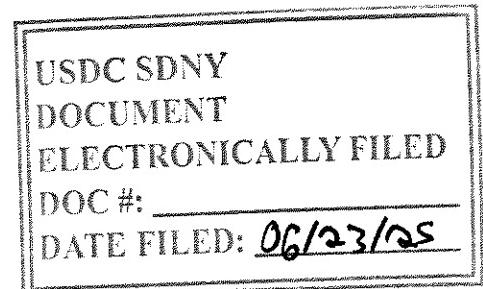
139-141 FRANKLIN ST. REALTY CORP.,

Appellee.

**ORDER ON MOTION FOR STAY PENDING APPEAL OF THE CONFIRMATION  
ORDER FOR THE PLAN OF LIQUIDATION OF DEBTOR 139-141 FRANKLIN ST.  
REALTY CORP.**

LEWIS A. KAPLAN, *District Judge.*

The Court having read and considered the Expedited Motion for Stay Pending Appeal of the Confirmation Order for the Plan of Liquidation of Debtor 139-141 Franklin St. Realty Corp. Regarding Distribution of One-Third of Residual Sale Proceeds (the "Expedited Motion for Stay") and any opposition thereto, and finding that Appellant initially sought a stay pending appeal pursuant to Federal Rule of Bankruptcy Procedure 8007 before the Bankruptcy Court which was denied by Order that entered June 16, 2025, and further finding that the requested stay relief is warranted and appropriately tailored to eliminate prejudice or harm to other parties as evidenced by the Stipulation and Order, By and Among 139-141 Franklin St. Realty Corp., the Estate of Frank Sofia, BSD 139

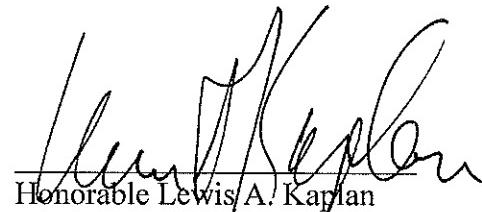


Franklin LLC, and AG-BSD Franklin Street Owner, L.L.C. and that granting relief will prevent irreparable harm to the Frank Estate<sup>1</sup> as Appellant in respect to a meritorious appeal and will serve the public interest in preserving meritorious appeals and respect for state court final judgments and equitable distribution of bankruptcy assets, it is

**ORDERED**, that the Expedited Motion for Stay is **GRANTED** to the extent hereinafter set forth, and it is further

**ORDERED**, that the Franklin Debtor shall pay one-third of any residual remaining of proceeds of sale from the Franklin Property, after payment of allowed administrative expenses and claims under the Franklin Debtor's confirmed Plan of Liquidation, into the Registry Fund of this Court for deposit in the Court Registry Investment System administered by the Administrative Office of the United States Courts, there to be held pending further order of court after disposition of the Appeal.

Dated: New York, New York  
June 23, 2025



Honorable Lewis A. Kaplan  
United States District Court Judge

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<sup>1</sup> Capitalized terms not defined in this Order have the meaning assigned to them in the Appellant's Expedited Motion for Stay.